TOWN OF Kiawah Island

Mayor
Craig E. Weaver

Council Members
Jack Koach
Diana L. Mezzanotte
Chris Widuch
John R. Wilson

Town Administrator
Stephanie Monroe Tillerson

4475 Betsy Kerrison Parkway | Kiawah Island, SC 29455 | (843) 768-9166 | Fax (843) 768-4764 | www.kiawahisland.org

MEMORANDUM

TO: Town of Kiawah Island BZA Members

FROM: John Taylor, Jr., Planner II

DATE: January 12, 2018

SUBJECT: **Monday, January 22, 2018 4:00 p.m. Kiawah Island BZA Meeting Packet**

Attached you will find the following items:

- Agenda for the January 22, 2018 meeting of the BZA.
- 2018 BZA Meeting Schedule.
- Packet of case materials two (2) Variance requests (BZA-12-17-00233 & BZA-12-17-00234) for your consideration. Please find enclosed the staff review and supporting documentation for these cases.

Please feel free to call or email me at (202-7220) jtaylor@charlestoncounty.org if you have any questions or concerns prior to the meeting. Please call or email Petra Reynolds, Town Clerk at (768-9166) clerk@kiawahisland.org if you are unable to attend this meeting.

TOWN OF KIAWAH ISLAND
BOARD OF ZONING APPEALS
AGENDA FOR January 22, 2018
4:00 P.M.

Kiawah Island Municipal Center
4475 Betsy Kerrison Parkway, Kiawah Island, SC 29455
NOTICE OF THIS MEETING WAS PUBLISHED IN THE POST AND COURIER ON JANUARY 7TH AND NOVEMBER 21ST OF 2018.

I. **Call to Order.**

II. **Election of 2018 Officers.**

III. **2018 BZA Meeting Schedule.**

IV. **Brief the public on procedures of the BZA.**

V. **Administer the oath to those presenting testimony.**

VI. **Review of the following applications:**

1. **CASE#: BZA-12-17-00233**
   209-10-00-027
   56 River Marsh Lane
   Variance request for the reduction of the required graphic rear yard setback for approximately 190 sq. ft. encroachment for a proposed rear deck addition.
2. **CASE#: BZA-12-17-00234**
   209-10-00-027
   56 River Marsh Lane
   Variance request to increase the existing lot coverage (34.4%) by approximately 1.6% (374 sq. ft.) to 36% for a rear deck addition.

V. **Additional Business**

TOWN OF KIAWAH ISLAND
BOARD OF ZONING APPEALS
2018 MEETING DATES
4:00 P.M.

Town Municipal Center, 4475 Betsy Kerrison Parkway, Kiawah Island, SC 29455
3rd Monday of the month

FILING DEADLINES	MEETING DATES
December 15, 2017	*January 22, 2018
January 26	*February 26
February 16	March 19
March 16	April 16
April 20	May 21
May 18	June 18
June 15	July 16
July 20	August 20
August 17	September 17
September 14	October 15
October 19	November 19
November 16	December 17

Applications must be received in person no later than **12:00 pm Friday** on the filing deadline with the required fee, or on any work day preceding the filing deadline no later than **4:00 pm**.
Incomplete applications will not be accepted.
*Fourth Monday of Month
**Second Monday of the Month

BZA approved: TBD

Case # BZA-12-17-00233

Kiawah Island BZA Meeting of January 22, 2018

Applicant/Property Owners:	Mr. Gerald Messerman Mrs. Gail Messerman
Representative:	Chris Rose Chris Rose Architects
Property Location:	56 River Marsh Lane
TMS#:	209-10-00-027
Zoning District:	Residential (R-1) Zoning District
Lot Size:	23,850 sq. ft. (.54 acres)
Request:	Variance request for the reduction of the required graphic rear yard setback for approximately 190 sq. ft. encroachment for a proposed rear deck addition.
Requirement:	Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-65. R-1, Residential Zoning District. Required graphic standard property setbacks of 50' (Front); 15' (Side); 30-70 (Rear)

Sec. 12-65. - R-1, Residential District.

(a) *Purpose and intent.* The purpose of the R-1 zoning district is to promote stable residential neighborhoods consisting of low density, detached, single-family dwellings and surrounding parks, golf courses, and open spaces. Activities and endeavors which might serve to mitigate against this purpose shall be prohibited or strictly regulated.

(b) *District regulations.* The following apply to all dwelling units in the R-1 zoning district:

(1) The maximum density for this district is three dwelling units per acre;

(2) All required parking shall be enclosed;

(3) Open storage is prohibited;

(4) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings on existing platted lots that are included in article VII of this chapter, the Kiawah Island Property Setback Requirements Appendix, dated 7-10-2007, incorporated herein by reference and adopted hereto as said article VII shall apply in lieu of the setback requirements in table 2B following subsection (b)(6) of this section;

(5) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings not covered by subsection (b)(4) of this section are listed in table 2B following subsection (b)(6) of this section and table 2C following section 12-66(b)(8);

(6) Authorized uses are listed in table 3A in section 12-102(c).

Table 2B. Lot Standards for R-1 Single-Family Detached Dwellings

Lot Size (square feet)	Maximum Lot Coverage	Depth (feet)	Width (feet) [1]	Minimum Yard Setbacks (feet)			Maximum Height	
				Front [2]	Side [3][5]	Rear [4]	(stories)	(feet)
8,000—11,999	40 percent	100	60	25	10	25	2.5	40
12,000+	33 percent	100	75	25	20	25	2.5	40

[1] For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line. Cul-de-sac lots shall have a minimum width of 25 feet at the street line. The minimum width of any flag lot may be reduced to 20 feet, provided that the minimum width specified in the table is provided at the front building setback line.

[2] On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides.

[3] A minimum of 15 feet must be provided between structures.
[4] The minimum yard requirements shall be increased to 30 feet from any lot or parcel boundary which abuts a golf course.
[5] Minimum setbacks in side yard for lots currently in existence and reflected on the current zoning map and fronting on Eugenia Avenue the side yard setback shall be ten feet.

(Code 1993, § 12A-205; Ord. No. 2005-08, § 12A-205, 10-12-2005; Ord. No. 2006-10, § 2, 2-6-2007; Ord. No. 2007-05, § 2(12A-205), 7-10-2007)

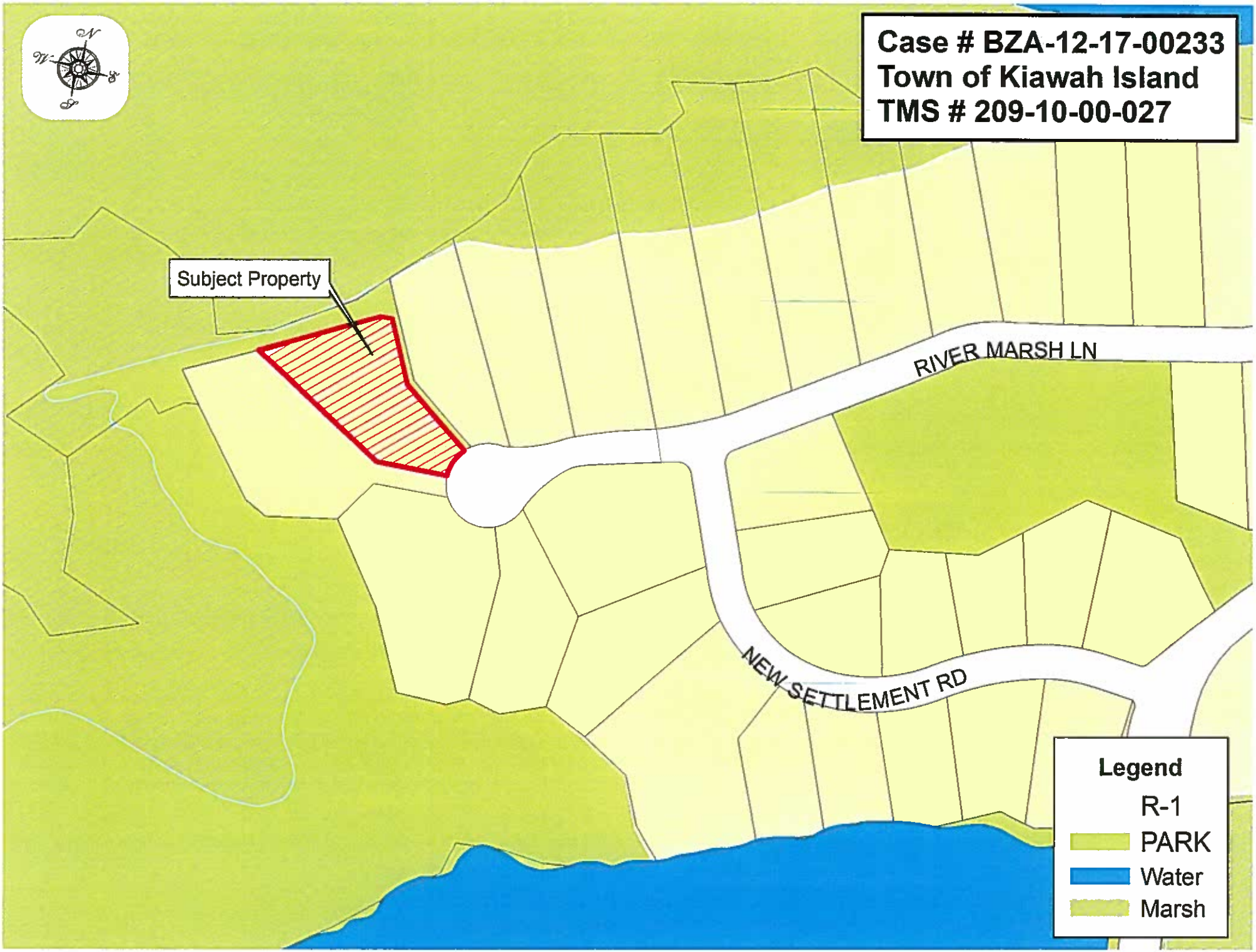
KIAWAH RESORT ASSOCIATES
ARCHITECTURAL REVIEW BOARD

These setbacks are as proposed by the Architectural Review Board. However, they are subject to revision and/or variances as per the covenants and ARB procedures.

Administrator

April 26' 1996
Date

SCALE 1" = 100'


Case # BZA-12-17-00233
Town of Kiawah Island
TMS # 209-10-00-027
Subject Property
RIVER MARSH LN
NEW SETTLEMENT RD
Legend
R-1
PARK
Water
Marsh

RIVER
NEW SETTLEMENT RD

Case # BZA-12-17-00233
BZA Meeting of January 22, 2018
Subject Property: 56 River Marsh – Kiawah Island

Proposal: Variance request for the reduction of the required graphic rear yard setback for approximately 190 sq. ft. encroachment for a prospered rear deck addition.

Subject Property

Subject Property

Existing Rear Deck

Subject Property

Existing Rear Deck

Subject Property

Eastern Bird's Eye View

Subject Property Rear

Adjacent Properties

River Marsh Lane cul-de-sac

Staff Review:

The applicant, Mr. Christopher Rose of Christopher Rose Architects, is representing the property owners, Mr. and Mrs. Gerald and Gale Messerman, in requesting a Variance for the reduction of the required graphic rear yard setback for approximately 190 sq. ft. encroachment for a proposed rear deck addition at the subject property, 56 River Marsh Lane, Kiawah Island, SC (TMS# 209-10-00-027).

The subject property is located within the R-1, Residential Zoning District within the Developed Lands of Kiawah Island. The lot is approximately 30,494 square feet (0.70 acres) in size, containing approximately 23,850 square feet (0.54 acres) of highlands. Per Charleston County records, the existing structure was constructed in 2000. The adjacent property to the south is also located within the R-1, Residential Zoning District. The adjacent property to the east is located within the PR, Park and Recreation Zoning District. The subject property is under the purview of the Kiawah Island Architectural Review Board.

The *Town of Kiawah Island Land Use Planning and Zoning* Ordinance requires a 50 feet front yard setback (River Marsh), 15 feet side setback, and 30-70 feet rear yard graphic setback with an allowed maximum lot coverage of 33% for the subject property. The subject property also has an identified 10 feet buffer area at the rear of the property. At the rear of the subject property, the May 24, 2017 survey shows that the OCRM Critical Line has marginally moved toward the river. With the current rear yard setback encroachment and current lot coverage, the existing structure is legally non-conforming. The existing lot coverage for the subject property is 34.4%.

The Ordinance defines Setback as "*a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.*" The Ordinance defines Rear Setback as *"the setback measured from the rear lot line."*

The applicant's letter of intent explains, *"Our clients have requested a deck addition and balcony renovation located on the marsh view side of their home. Our intent is to demolish the existing first floor deck and construct a new one at the approximate level of the existing floor."*

The applicant has submitted to the Kiawah Island Architectural Review Board (KIARB) for Improvement Review and setback Variance Review. The KIARB has granted the setback variance and conditionally approved the request for the deck addition. The KIARB states, *"The setback and lot coverage variances for the deck addition are approved given the OCRM Critical Line encroachment into the property and original placement of the home on the property to preserve a grove of Live Oak trees in the front of the home. The improvement of your home is approved to continue to the permit submittal with the following comments and conditions:"*

"The ARB has approved for the deck addition to encroach three feet further with 190 square feet of area in the rear setback; The ARB also approved the revised elevation of the existing deck encroaching the rear setback."

"With the proposed change in the mass of the rear of the home, the rear yard landscape needs to be updated to buffer the outdoor living spaces from neighboring areas with multi-layered native evergreen shrubs."

Please see the attachments for further information regarding this request. A site visit was conducted on January 10, 2018, at which time the following determinations were made regarding the Approval Criteria for Variances, as stated in Chapter 12 of the Town of Kiawah Island *Land Use Planning and Zoning* Ordinance, Article II, Division 5, Section 12-163.(4):

Staff Findings:

The BZA may grant a variance only if exceptional circumstances exist, and where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the BZA shall find that:

§ 12-163.(4)a.: *There are extraordinary and exceptional conditions pertaining to the particular piece of property;*

Staff Response: **There may be extraordinary and exceptional conditions pertaining to the property due to the irregular shape of the lot, the required setbacks and the legal nonconforming status of the existing structure that encroaches into the required setback. The existing structure was established in 2000, per Charleston County records. In addition, the applicant's letter of intent states, *"My clients purchased this property in 2006 with an approval for a deck extension on this home. They were fully aware at the time of the purchase that the deck and part of the heated portion of the existing home was over the rear setback. This was their reason for gaining approval from the Kiawah Island Architectural Review Board prior to purchasing. (Please see attached letter from Amanda Mole dated 03/01/2006 – Attachment A)"***

§ 12-163.(4)b.: *These conditions do not generally apply to other property in the vicinity;*

Staff Response: **These conditions are unique to the subject property and may not generally apply to other properties in the vicinity. The subject property's lot shape is approximately 41 feet in width at the front lot line and approximately 170 feet in width at the rear of the lot. Existing structures in the vicinity may or may not have similar encroachments based on current setback standards. The subject property is located within the R-1, Residential Zoning District and the adjacent property to the east is located within the PR, Park and Recreation Zoning District. There is an existing 10 feet buffer area at the rear of the property that runs from OCRM Critical Line towards the highlands of the subject**

property. Per the applicant's letter of intent, *"We have included the subdivision plat in the submittal (Attachment B) and two aerials showing the location of this home (Attachment C & D) these show the unique pie shaped lot does not affect the neighbor the Fishburn's, the Dolson's and the Johnson's. The adjacent neighbor to the East at 55 River Marsh has a greater than normal side set back due to the pie shaped lot."*

§ 12-163.(4)c.: *Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;*

Staff Response: **The application of this *Ordinance* to the subject property would prohibit the construction of the requested rear deck addition, as both the existing structure and proposed modifications are located within the required graphic rear setback; however, it does not unreasonably restrict the utilization of the property. Per the applicant's letter of intent, *"Approval of this variance would increase the utilization of the property. The area over the setback is to be cantilevered so it will not at the ground level intervene with the marsh / river edge."***

§ 12-163.(4)d.: *The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the zoning district will not be harmed by the granting of the variance;*

Staff Response: **The authorization of this variance may not be of substantial detriment to the adjacent properties or the public good. With an existing rear lot setback encroachment, the proposed modifications extend the existing rear lot setback encroachment by approximately three feet. Additionally, the two adjacent lots to the east and west are currently vacant properties. The subject property contains mature vegetation screening the closest existing residence to the east. Per the applicant's letter of intent, *"Granting this variance would not harm the character of the Zoning District as shown in Attachment C & D."***

§ 12-163.(4)e.: *The Board of Zoning Appeals shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map;*

Staff Response: **Granting of this variance would not allow the establishment of a use not otherwise permitted in this zoning district, extend physically a non-conforming use of land, or change the zoning district boundaries. Per the applicant's letter of intent, *"This variance would not change the use or zoning of the district."***

§ 12-163.(4)f: *The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;*

Staff Response: **The BZA may not consider profitability when considering this variance request. Per the applicant's letter of intent, *"This is not our rationale for criteria for hardship for this variance."***

§ 12-163.(4)g.: *The need for the variance shall not be the result of the applicant's own actions;*

Staff Response: **The need for the variance may be the result of the applicant's own actions. Since the existing residence is a nonconforming structure, the existing structure could be maintained without the need for a variance. However, per the applicant's letter of intent, *"This is not the result of our clients' actions since the house was purchased over the rear setback."***

§ 12-163.(4)h.: *Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;*

Staff Response: **Granting of this variance may not be contrary to the public or neighborhood interest, may not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent, and purpose of these regulations. On November 13, 2017, the KIARB conditionally approved the improvement review and setback variance request for the rear deck addition, stating *"The setback and lot coverage variances for the deck addition are approved given the OCRM Critical Line encroachment into the property and original placement of the home on the property to preserve a grove of Live Oak trees in the front of the house."* Per the applicant's letter of intent, *"Again, Attachment C & D and the site plan show that this will not negatively affect the neighbors, neighborhood or vicinity."***

§ 12-163.(4)i.: *Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.*

Staff Response: **Granting of the variance may substantially conflict with the purposes of the *Ordinance.* The applicant's proposed plans do change the overall lot coverage percentage of the existing structure to the property. The proposed plans call for approximately 374 square feet addition of rear deck to the existing residence, increasing the overall lot coverage from 34.4% by approximately 1.6% to 36% for the subject property for which the applicant is also seeking a variance. The maximum allowable lot coverage for the subject property is 33%. However, granting of this variance may not substantially conflict with the Comprehensive Plan as the Comprehensive Plan, Housing Element VIII, Goals 1., Implementation Strategy d. states,**

"Provide mechanisms to permit flexibility and innovation in residential project design to promote land use efficiency and environmental protection." Per the applicant's letter of intent, *"This variance will not conflict with the Ordinance or Comprehensive Plan."*

Board of Zoning Appeals' Action:

The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA-12-17-00233 (Variance request for the reduction of the required graphic rear yard setback for approximately 190 sq. ft. encroachment for a proposed rear deck addition) at the subject property, 56 River Marsh Lane (TMS# 209-10-00-027) based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision.

Variance Application

BZA - 12 - 17 - 00233

Town of Kiawah Island
Board of Zoning Appeals

Public Services Building
Zoning/Planning Department
4045 Bridge View Drive
North Charleston, SC 29405
Phone 843-202-7200
Fax 843-202-7222

This application must be complete and submitted in person to the Charleston County Planning Department in order to apply for a Variance. Please read the entire form prior to completing the application. The applicant shall receive a copy of this completed form at the time the application is filed. **This application will be returned to the applicant within fifteen (15) working days if these items are not submitted with the application or if any are found to be inaccurate:**

1. Copy of **Current Recorded Deed** to the property. If the applicant is not the owner of the property, the **Current Property Owner(s)** must sign and print the **Designation of Agent** found below.
2. **Restrictive Covenants Affidavit** signed by the applicant or current property owner(s).
3. A **letter of intent** signed by the applicant or property owner(s) stating the reason for the request that explains why this request should be granted and how it meets the Approval Criteria.
4. An accurate, legible **Site Plan drawn to Engineer's Scale** must be attached. The site plan must show property dimensions, dimensions and locations of all existing and proposed structures and improvements, parking areas, Grand trees (24" DBH or greater), wetlands (properties containing DHEC-OCRM Critical Line areas must contain an up to date DHEC-OCRM signature on the site plan or plat), holding basins and buffers when applicable. **One (1) 24 x 36 copy and twenty (20) 11 x 17 copies.**
5. **Twenty (20)** copies of a legible **Approved and Recorded Plat** showing present boundaries of property.
6. If requesting a variance from property or OCRM Critical Line setbacks, the footprint of the proposed structure that encroaches on the required setback must be staked out on the property prior to submitting this application.
7. **ARB stamp and signature or approval letter.**
8. **Fee $250** check made out to "Charleston County" or cash.

Applicant Name: Christopher A Rose, AIA, ASID
Mailing Address: Christopher Rose Architects, P. A.
3509 Meeks Farm Road
City, State, ZIP Code: Johns Island, SC 29455 Daytime Phone #: 843-559-7670
Subject Property Address: 56 River Marsh Lane

Variance Description: Request variance to allow the rear deck to be cantilevered three feet further than the existing deck this would consist of 190 square feet of deck in the setback. The OCRM critical line has moved away from the rear of the home and allowing this additional square footage over the setback while still maintaining a sufficient amount of buffer to the wetlands.

[Applicant Signature] December 15, 2017
crose@chrisrosearchitects.com [Date]
[Applicant Email Address]

Designation of Agent (*Complete only if owner is not applicant*).

I hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Gale Messerman

[Owner Print Name] [Date] [Owner Mailing Address]

56 River Marsh Lane, Kiawah Island, SC 29455
[Owner Signature] 12/15/2017 [City, State, ZIP Code]

12/15/2017

galemesserman@gmail.com Owner e-mail.

CHRISTOPHER ROSE
ARCHITECTS PA
chrisrosearchitects.com

LETTER OF INTENT

Friday, December 15, 2017

Mr. John W. Taylor, Jr.
Planner II
Charleston County Government
Charleston County Zoning / Planning Department
Town of Kiawah
4475 Betsy Kerrison Parkway
Kiawah Island, SC 29455

RE: Messerman Residence - Variance No. 1
Building Setback
56 River Marsh
Kiawah Island, SC 29455

Dear Mr. Taylor:

Below I have addressed each of your Approval Criteria for Variances.

a. There are extraordinary and exceptional conditions pertaining to this particular piece of property.

My clients purchased this property in 2006 with an approval for a deck extension on this home. They were fully aware at the time of purchase that the deck and part of the heated portion of the existing home was over the rear setback. This was their reason for gaining approval from the Kiawah Island Architectural Review Board prior to purchasing. (Please see attached letter from Amanda Mole dated 03/01/2006 - Attachment A)

b. These conditions do not generally apply to other property in the vicinity;

We have included the subdivision plat in the submittal (Attachment B) and two aerials showing the location of this home (Attachment C & D) these show the unique pie shaped lot does not affect the neighbor the Fishburn's, the Dolson's and the Johnson's. The adjacent neighbor to the East at 55 River Marsh has a great than normal side set back due to the pie shaped lot.

c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;

Approval of this variance would increase the utilization of the property. The area over the setback is to be cantilevered so it will not at the ground level intervene with the marsh / river edge.

P. O. BOX 20456
CHARLESTON, SC 29413

843.559.7670 PH
843.559.7673 FAX

3509 MEEKS FARM ROAD
JOHNS ISLAND, SC 29455

d. The authorization of a variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the Zoning District will not be harmed by the granting of the variance.

Granting this variance would not harm the character of the Zoning District as shown in Attachment C & D.

e. The Board of Zoning Appeals shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or change the zoning district boundaries shown on the official map;

This variance would not change the use or zoning of the district.

f. The fact property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;

This is not our rationale for criteria for hardship for this variance.

g. The need for a variance shall not be the result of the applicant's own actions;

This is not the result of our clients actions since the house was purchased over the rear setback.

h. Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations; and

Again, Attachment C & D and the site plan show that this will not negatively affect the neighbors, neighborhood or vicinity.

i. Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of the Ordinance.

This variance will not conflict the Ordinance or Comprehensive Plan.

Warm Regards,

Christopher A. Rose, AIA, ASID
President
CHRISTOPHER ROSE ARCHITECTS, PA
cc: 17.12 / 1

A

Amanda Mole/KRA
03/01/2006 03:39 PM

To Ginny Larence/KRA@KRA
cc Marianne Blair/KRA@KRA
bcc
Subject Re: 56 River Marsh

Ginny,

The Board approves of the variance for the currently proposed open deck extension provided the existing stair in that same area is removed. Let me know if you have questions.

Thank you,

Amanda L. Mole, AIA
Manager
Kiawah Island ARB
843-768-3419

Ginny Larence/KRA

Ginny Larence/KRA
02/28/2006 12:19 PM

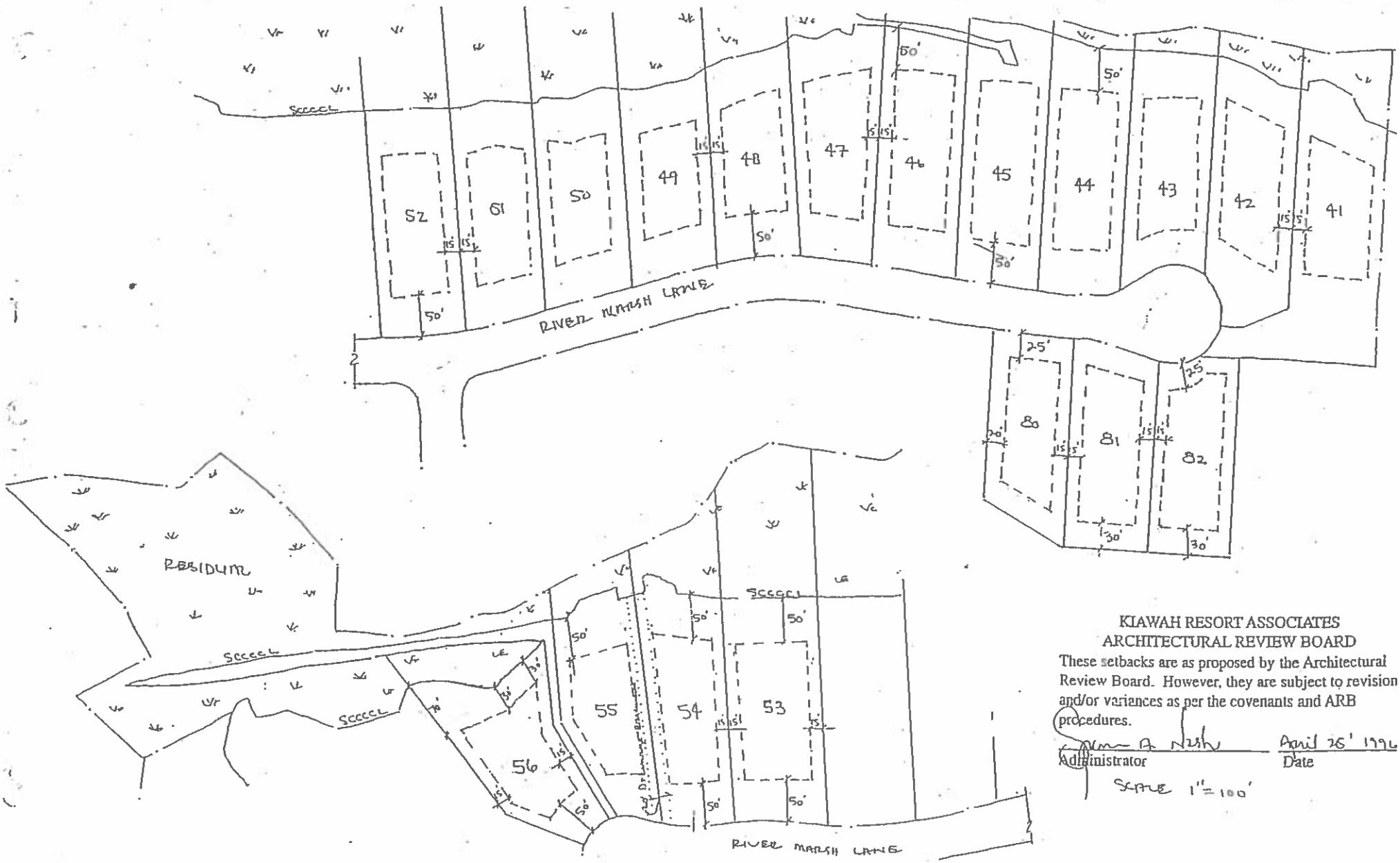
To Amanda Mole/KRA@KRA
cc Marianne Blair/KRA@KRA
Subject 56 River Marsh

My clients and the potential buyers of the above property are waiting in the wings to hear about the deck expansion possibilities for this home. Please let me know once you have discussed in the ARB Wed. meeting. Thank you!

Ginny Larence
Sales Executive
(843)768-5221
(800)277-7008 ext. 221
(843)425-4250 mobile
(843)768-5204 fax
Please click below to see listings on our website.
http://www.kiawahisland.com/index.htm

B

RIVER MARSH LA



KIAWAH RESORT ASSOCIATES
ARCHITECTURAL REVIEW BOARD

These setbacks are as proposed by the Architectural Review Board. However, they are subject to revision and/or variances as per the covenants and ARB procedures.

Administrator — Date: April 26' 1996

SCALE 1" = 100'

MESSERMAN RESIDENCE
56 River Marsh
Kiawah Island, SC

CHRISTOPHER ROSE
ARCHITECTS, PA

CHRISTOPHER ROSE ARCHITECTS
3509 MEEKS FARM ROAD
JOHNS ISLAND, SC 29455

POST OFFICE BOX 20456
CHARLESTON, SC 29413

843 · 559 · 7670 PH
843 · 559 · 7673 FX

AERIAL CONTEXT

C

SCALE: N/A
JOB NO. 1712
12.15.17

These drawings and specifications, including the ideas, design and arrangements represented thereby are property of the architect. No part thereof shall be copied, disclosed to others, or used in connection with any other project other than the specified project for which they have been prepared without express written consent form the architect.

MESSERMAN RESIDENCE
56 River Marsh
Kiawah Island, SC

CHRISTOPHER ROSE ARCHITECTS.PA

CHRISTOPHER ROSE ARCHITECTS
3509 MEEKS FARM ROAD
JOHNS ISLAND, SC 29455

POST OFFICE BOX 20456
CHARLESTON, SC 29413

843 · 559 · 7670 PH
843 · 559 · 7673 FX

AERIAL VIEW FROM KIAWAH RIVER

D

SCALE: N/A

JOB NO. 1712

12.15.17

These drawings and specifications, including the ideas, design and arrangements represented thereby are property of the architect. No part thereof shall be copied, disclosed to others, or used in connection with any other project other than the specified project for which they have been prepared without express written consent form the architect.

Kiawah Island

Architectural Review Board

p: 843-768-3419
f: 843-768-0517
e: ARB@kiawah.com

PHYSICAL ADDRESS
253 Gardeners Circle, Suite 200
Kiawah Island, SC 29455

MAILING ADDRESS
130 Gardeners Circle, Suite 123
Kiawah Island, SC 29455

November 13, 2017

Mr. and Mrs. Jerry Messerman
56 River Marsh Lane
Kiawah Island, SC 29455-5202

Re: **IMPROVEMENT REVIEW – VARIANCE**
Construction Address: 56 River Marsh Lane
Property File: # 167397
ARB Action: Approved, Variance Granted - Conditional

Dear Mr. & Mrs. Messerman:

Thank you for your revised submittal to the Kiawah Island Architectural Review Board for Improvement Review and setback Variance Review for your home at 56 River Marsh Lane. The Variance requests were an Item of Discussion at the November 1st, 2017 meeting. The setback and lot coverage variances for the deck addition are approved given the OCRM Critical Line encroachment into the property and original placement of the home on the property to preserve a grove of Live Oak trees in the front of the home. The improvement of your home is approved to continue to the permit submittal with the following comments and conditions:

- The ARB has approved for the deck addition to encroach three feet further with 190 square feet of area in the rear setback; The ARB also approved the revised elevation of the existing deck encroaching the rear setback. The ARB has also approved for this proposed addition to increase the lot coverage of the home from the existing 34.4% to 36.0%. This increased lot coverage may require approval of the Town of Kiawah Island's Board of Zoning Appeals.
- With the proposed change in the mass of the rear of the home, the rear yard landscape needs to be updated to buffer the outdoor living spaces from neighboring areas with multi-layered native evergreen shrubs. A proposed Preliminary Landscape Plan should be submitted for review and approval with the permit submittal. A Final Landscape Plan will then be submitted for review and approval 60 days prior to commencement of associated work.
- Due to the proposed change in footprint, please be reminded that an as-built survey will be required for the final inspection at the conclusion of construction.

Please submit two (2) sets of sealed drawings to this office to obtain our approval stamp. The Town of Kiawah Island requires a set of stamped drawings for their Zoning and Building Permits and one (1) reduced copy is for our files. Also, the contractor must submit a completed Construction Application Deposit and Agreement Form along with the required deposits for improvement construction and proof of Kiawah Island Community Association encroachment approval or waiver. At that time, a Kiawah Island ARB Building Permit will be issued for the project.

Thank you again for your submittal to the Kiawah Island Architectural Review Board. Please do not hesitate to contact the ARB office if we can be of any assistance during the Permit Process for your home improvements.

Sincerely,

Barbara Looney, AIA
Assistant Director
On behalf of the KIARB

cc: Case file
ARB Members
Chris Rose Architects
Mariner Construction

Date Received 11/1/17 Property File _____

Variance Request Form

Kiawah Island Architectural Review Board • 253 Gardeners Circle, Suite 200 • Johns Island SC 29455 • 843.768.3419 • 843.768.0517 (fax)
Mailing Address: 130 Gardeners Circle, Suite 123 • Johns Island SC 29455 • arb@kiawah.com • www.KiawahARB.com

Address of Project 56 River Marsh Lane

Owner Mr & Mrs Gerald Messerman
Telephone 843 768 8900
Email gamesserman@bellsouth.net
Landscape Architect TBD galemesserman@bellsouth.net
Telephone _____
Email _____

Architect Christopher Rose Architects
Telephone 843 559 7670 crose@chrisrosearchitects.com
Email cjordan@chrisrosearchitects.com
Contractor Brad Kalota - Mariner Const
Telephone 843 514 4556
Email marinerconstruction@gmail.com

Does the neighborhood have Supplemental Guidelines? ☑ Yes, _____ ☐ No

Is Regime Approval Needed? ☐ Yes, Approval Attached ☑ No

Height Restriction: 40' ☑ Above Base Flood Elevation ☐ Above Grade

Lot Coverage Max: 33%

Setbacks

Front	50'
Sides	15'
	15'
Rear	30'

Restrictions

Min. Sq. Ft	
Main House	
Ancillary	
Max. Sq. Ft	
Main House	
Ancillary	

Building Sq. Footage Calculations

Conditioned	
Building Footprint	4250
First Floor	
Second Floor	
Third Floor	
Ancillary Structure	
Total Conditioned	
Screened/Covered	159
Garage/Carport	

Lot Coverage Calculations

Screened/Covered	159
Open Decking/Stairs	992
Primary Drives/Walks*	2491
Raised Planters	651
Pool/Spa	
HVAC	39
Total Lot Coverage Sq. Ft	8582
Highland Area	23850
Lot Coverage %	36
Secondary Sq. Ft	
Primary + Secondary %	

Variance Request Requesting variance for 190 sf of the new first floor deck to cross over the setback line. Existing lot coverage is 34.4% due to shift of OCRM line. Proposed lot coverage is 36.0%.

Reasoning for Request & Variance Criteria Used
The home was originally placed far back on the lot in order to preserve numerous live oak trees.

ARB ACTION ☒ Approved w/ landscape see letter ☐ Disapproved **ARB Representative** [signature] by the Board 11/1

* PRIMARY DRIVES AND WALKS INCLUDE PERVIOUS AND IMPERVIOUS MATERIALS.

CHRISTOPHER ROSE
ARCHITECTS, PA
chrisrosearchitects.com

October 18, 2017

Kiawah Island Architectural Review Board
253 Gardeners Circle
Suite 200
Johns Island, SC 29455

Kiawah Island ARB:

The purpose of this letter is to describe the intent of the proposed renovation of the Messerman Residence located at 56 River Marsh on Rhett's Bluff. Our clients have requested a deck addition and balcony renovation located on the marsh view side of their home. Our intent is to demolish the existing first floor deck and construct a new one at the approximate level of the existing first floor. The new design will create an additional 413 sf of deck space. The existing metal spiral staircase connecting the first floor deck and second floor balcony will be removed. The windows and door connecting the great room to the deck will be removed and replaced to enhance views and accessibility. The second floor balcony currently shows signs of potential water leakage, which we intend to address by removing the existing structure and extending it approximately 48" towards the marsh while incorporating a new drainage and waterproofing system. The purpose of the second floor balcony renovation is to promote clear, unobstructed views of the marsh and to make it more usable than the current space. All new materials are intended to match seamlessly with the existing.

A similar renovation package was submitted and approved in 2009. The Messermans subsequently put the project on hold. The client is now ready to move forward with the renovation and we are again submitting this proposed renovation for your consideration. When reviewing the drawings please refer to Site Plan A100. We received approval for the deck extension with the OCRM line much closer to the rear deck. The updated OCRM line has moved towards the river giving us more room to build the deck.

Sincerely,

Christopher Rose, AIA
President, Christopher Rose Architects P.A.

P. O. BOX 20456
CHARLESTON, SC 29413

843.559.7670 PH
843.559.7673 FAX

3509 MEEKS FARM ROAD
JOHNS ISLAND, SC 29455

Date Received_____ Property File_____

Minor Improvement Review

Kiawah Island Architectural Review Board • 253 Gardeners Circle, Suite 200 • Johns Island SC 29455 • 843.768.3419 • 843.768.0517 (fax)
Mailing Address: 130 Gardeners Circle, Suite 123 • Johns Island SC 29455 • arb@kiawah.com • www.kiawahARB.com

Address of Project 56 River Marsh Lane

Owner Mr & Mrs Gerald Messerman
Address 56 River Marsh Lane
Kiawah Island SC **ZIP** 29455
Telephone 843 768 8900
Email gamesserman@bellsouth.net
galemesserman@bellsouth.net

Contractor Brad Kalota - Mariner Const
Address PO Box 1653
Johns Island, SC **ZIP** 29457
Telephone 843 514-4556
Email marinerconstruction@gmail.com

Proposed Improvement ~~First floor deck addition and second floor balcony renovation as desribed in attached letter.~~

Drawings Attached? ☑ Yes ☐ No
Is Regime Approval Needed? ☐ Yes ☑ No

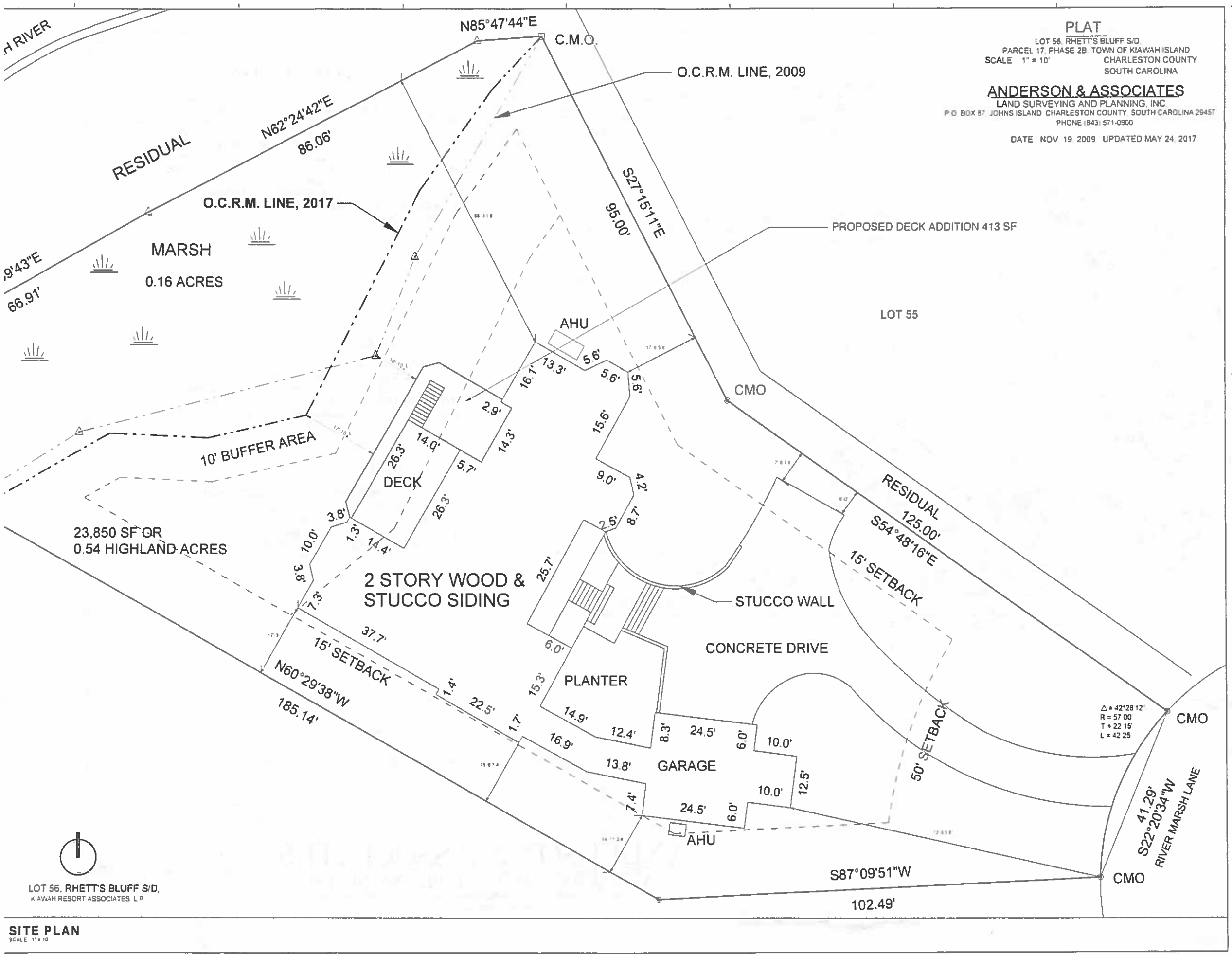
Reason for Improvement ~~Client wants to improve awkward first floor deck and to improve marsh views from the second floor.~~

ARB Comments see letter

Additional Forms

ARB Action ☒ Approved ☐ Disapproved

Application approved this 13th day of November, 20 17, by _____
ARB Representative



SITE PLAN
SCALE 1" = 10'

PLAT

LOT 56, RHETT'S BLUFF S/D.
PARCEL 17, PHASE 2B, TOWN OF KIAWAH ISLAND
SCALE 1" = 10' CHARLESTON COUNTY
SOUTH CAROLINA

ANDERSON & ASSOCIATES

LAND SURVEYING AND PLANNING, INC.
P.O. BOX 87, JOHNS ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA 29457
PHONE (843) 571-0900

DATE: NOV. 19, 2009 UPDATED MAY 24, 2017

LOT CALCULATIONS (EXISTING)

BUILDING FOOTPRINT	4,250 SF
SCREENED / COVERED	159 SF
OPEN DECKING / STAIRS	618 SF
PRIMARY DRIVES / WALKS	2,491 SF
RAISED PLANTERS	651 SF
HVAC	39 SF
TOTAL	8,208 SF
LOT AREA (HIGH GROUND)	23,850 SF
LOT COVERAGE	34.4%

LOT CALCULATIONS (PROPOSED)

BUILDING FOOTPRINT	4,250 SF
SCREENED / COVERED	159 SF
OPEN DECKING / STAIRS	992 SF
PRIMARY DRIVES / WALKS	2,491 SF
RAISED PLANTERS	651 SF
HVAC	39 SF
TOTAL	8,582 SF
LOT AREA (HIGH GROUND)	23,850 SF
LOT COVERAGE	36.0%

REVISED DESCRIPTION DATE

CHRISTOPHER ROSE
ARCHITECTS PA
P. O. BOX 20456
CHARLESTON, SC 29413
3509 MEEKS FARM ROAD
JOHNS ISLAND, SC 29455
843·559·7670 PH
843·559·7673 FAX
chrisrosearchitects.com

KIARB IMPROVEMENT REVIEW 10/18/2017

PROJECT TITLE

MESSERMAN RENOVATION

56 River Marsh Lane
Kiawah Island, SC

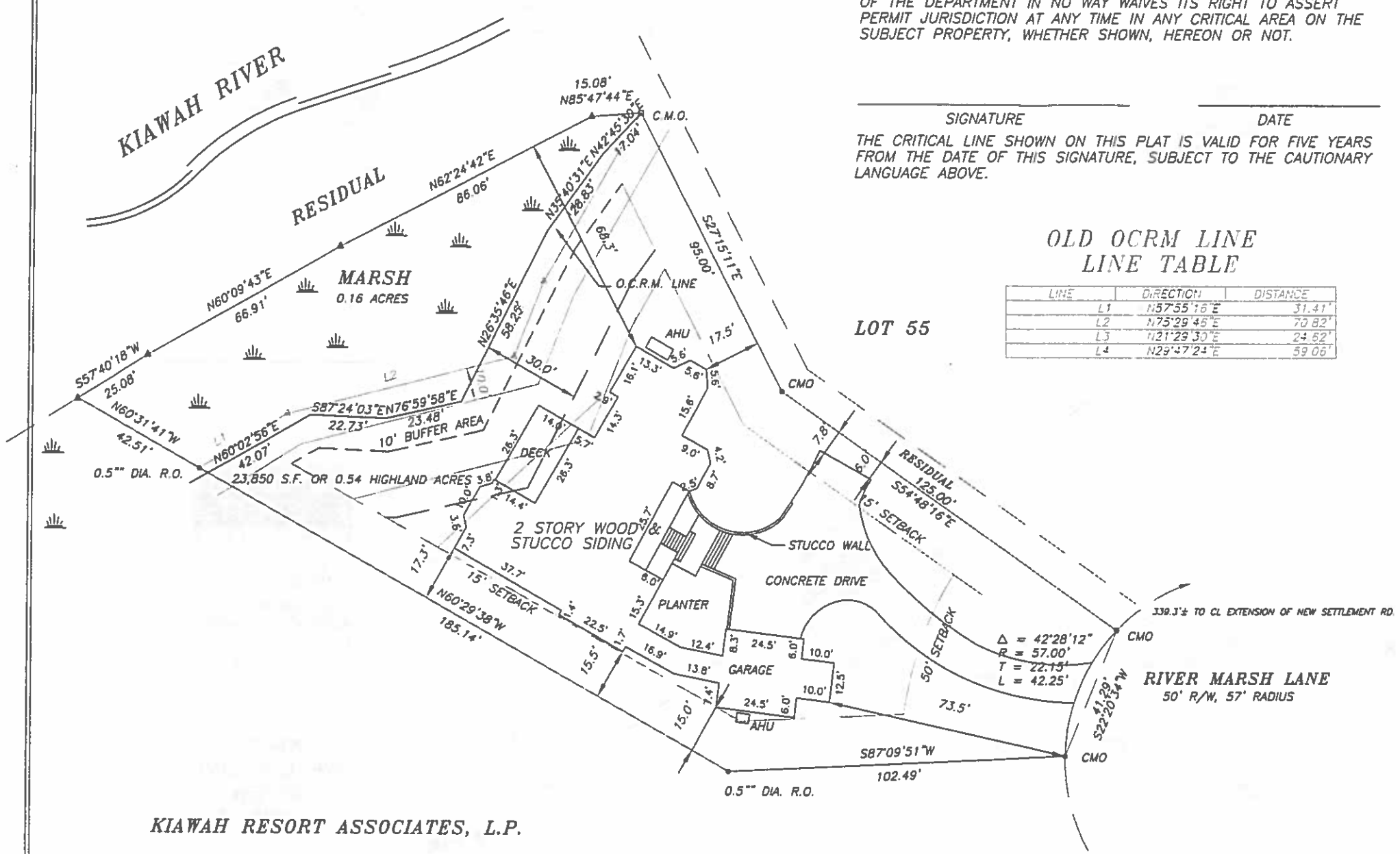
DRAWING NAME

SITE PLAN

DATE	DRAWN BY	PROJECT NO
10/18/17	RDL	1712

SHEET NUMBER

A100



KIAWAH RESORT ASSOCIATES, L.P.

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS, BY THEIR NATURE, ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN, HEREON OR NOT.

SIGNATURE DATE

THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR FIVE YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.

OLD OCRM LINE LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N57°55'16"E	31.41'
L2	N75°29'46"E	70.82'
L3	N21°29'30"E	24.62'
L4	N29°47'24"E	59.06'

CERTIFICATIONS

1. I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARD MANUAL FOR THE PRACTICE OF LAND SURVEYING IN S.C. AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED HEREIN ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.
2. I CERTIFY THAT THE PROPERTY SHOWN HEREON IS IN A SPECIAL FLOOD HAZARD ZONE ACCORDING TO F.E.M.A. FLOOD HAZARD BOUNDARY MAPS.

LEGEND

I.O. INDICATES IRON PIPE, OLD
I.N. INDICATES IRON PIPE, NEW
O.C.R.M. OCEAN & COASTAL RESOURCE MANAGEMENT
R.N. INDICATES ROD, NEW
C.M.O. INDICATES CONCRETE MONUMENT, OLD

NOTES

1. THE ADDRESS IS 56 RIVER MARSH LANE.
2. PRESENTLY OWNED BY GERALD A. AND GALE S. MESSERMAN.
3. REF. PLAT BOOK EA, PAGE 999.
4. T.M.S. NO. 209-10-00-027.
5. TOTAL AREA = 30,494 SQ.FT. OR 0.70 ACRES

PLAT

LOT 56, RHETT'S BLUFF S/D,
PARCEL 17, PHASE 2B, TOWN OF KIAWAH ISLAND.

SCALE : 1" = 40'
DATE : MAY 24, 2017

CHARLESTON COUNTY
SOUTH CAROLINA

ANDERSON & ASSOCIATES
LAND SURVEYING AND PLANNING, INC.
P.O. BOX 87, JOHNS ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA 29457
PHONE (803)571-0900

SOUTH CAROLINA REGISTERED LAND SURVEYOR 12230 FORSMAN J. ANDERSON

SOUTH CAROLINA ANDERSON & ASSOCIATES No. C01084 CERTIFICATE OF AUTHORIZATION

0 20' 40' 80'

DRAWING NO. 7473REV